

REMARKS

INTRODUCTION

In accordance with the foregoing, no claims have been canceled, claims 1-5, 7-24, 26-33 and 35-36 have been amended, and claims 37-39 have been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-5, 7-24, 26-33, and 35-39 are pending and under consideration. Reconsideration is respectfully requested.

WITHDRAWAL OF FINALITY

The Applicants request withdrawal of the finality of the Office Action mailed November 1, 2005 as the Office Action appears to completely ignore the claims as presented in an Amendment filed August 8, 2005. 37 CFR 1.104 mandates that the "examiner's action will be complete as to all matters". The Amendment filed August 8, 2005 is believed to have conformed with 37 CFR 1.121. However, the rejections do not appear to address the claims as they were presented in the August 8, 2005 Amendment. Accordingly, the Applicants request withdrawal of the finality of the Office Action.

REJECTIONS UNDER 35 U.S.C. §102

In the Office Action, at page 2, claims 1-5, 7-24, 26-33, 35-36 were rejected under 35 U.S.C. §102(b) in view of European Patent No. 1,044,781 issued to Kamiguchi et al. In the Office Action, at page 3, claims 1-5, 7-24, 26-33, 35-36 were rejected under 35 U.S.C. §102(b) in view of U.S. Patent No. 4,850,217 issued to Nunn. Claims 1-5, 7-24, 26-33 and 35-36 have been amended to clarify the invention and as such, are believed to be in condition for allowance. However, as the prior art may still relate to the present invention, these rejections are traversed.

Regarding claim 1, for example, the rejections are respectfully traversed because neither Kamiguchi nor Nunn teach or suggest

performing a first predetermined number of air shot injections of molten resin with constant injection velocity and different values of resin temperature automatically altered successively for the respective air shot injections, and with resin pressure and injection screw position, or resin pressure and injection time elapsed from start of the injection as the injection screw is advanced, being measured for the respective air shot injections;

performing a second predetermined number of air shot injections of molten resin with constant resin temperature and different

values of injection velocity automatically altered successively for the respective air shot injections, and with resin pressure and injection screw position, or resin pressure and injection time elapsed from start of the injection as the injection screw is advanced, being measured for the respective air shot injections; and

evaluating characteristics of the molten resin by automatically obtaining at least one of a degree of resin-temperature dependency of variation of the resin pressure in the air shot injections, and a degree of velocity or flow-rate dependency of variation of the resin pressure in the air shot injections, based on either a relationship between the resin pressure and the screw position or a relationship between the resin pressure and the injection time, measured in the air shot injections.

The Applicants have been unable to find, in either reference, a suggestion of the operations of performing a first predetermined number of air shot injections, performing a second predetermined number of air shot injections, or evaluating characteristics of molten resin, as recited in claim 1.

The Applicants respectfully submit that since neither Kamiguchi nor Nunn teach or suggest all of the features of claims 1, 5, 11, 17, 22 and 28, these claims are allowable over Kamiguchi and Nunn. Thus, withdrawal of the 102 rejections is respectfully requested.

Regarding the rejection of claims 2-4, 7-10, 12-16, 18-21, 23-24, 26-27, 29-33, and 35-36, these claims depend directly or indirectly on one of independent claims 1, 5, 11, 17, 22 or 28, and are therefore believed to be allowable for at least the reasons noted above. Thus, withdrawal of the 102 rejections of these claims is respectfully requested.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

Serial No. 10/091,385

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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